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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No.: 10/714,912
Applicant : Kenji Yoshisue, et al.
Filed : 11/18/2003
TC/A.U. : Kimberly R. Lockett
Examiner : 2837

Confirmation No. 4007

Docket No. : 056272.52903US
Customer No. : 23911

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97 and 1.98**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the document which is listed on the attached Substitute Form for PTO-1449 and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

STATEMENT OF RELEVANCE

The relevance of this reference to the subject matter of the present invention is given in the Background of the Invention section of the specification of the above-referenced patent application at page 2, lines 4-12.

The present Information Disclosure Statement is being filed without a Certification under 37 CFR §1.97(e) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action or Notice of Allowance (whichever is

earlier), and therefore a check for the fee of \$180.00 under 37 CFR §1.17(p) is attached.

The submission of the listed document is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed document as a competent reference against the claims of the present application.

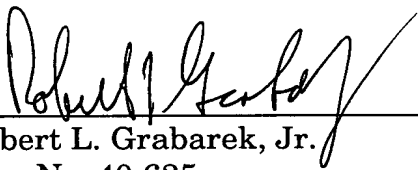
The Office is authorized to charge any fees or any deficiency in fees, or credit any overpayment of fees, associated with this paper to Deposit Account No. 05-1323 (Docket No. 056272.52903US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: August 4, 2005

By


Robert L. Grabarek, Jr.
Reg. No. 40,625
Tel.: (949) 263-8400 (Pacific Coast)

Attachments

Intellectual Property Group
P.O. Box 14300
Washington, D.C. 20044-4300

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

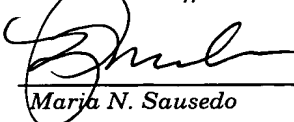
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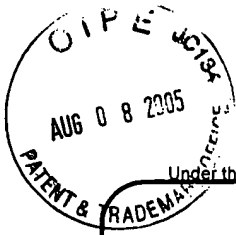
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Maria N. Sausedo

08/04/2005

Date



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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|----------------------|------------------------|----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/714,912 | |
| | Filing Date | 11/18/2003 | |
| | First Named Inventor | Kenji Yoshisue | |
| | Art Unit | 2837 | |
| | Examiner Name | Kimberly R. Lockett | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 056272.52903US |

ENCLOSURES (Check all that apply)

| | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): (1) Reference (2 pgs). |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------------|-------------------------|-----------------|
| Firm or Individual name | Robert L. Grabarek, Jr. | Reg. No. 40,625 |
| Signature | | |
| Date | 08/04/2005 | |

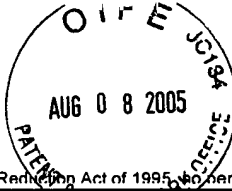
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|------------------|------|------------|
| Typed or printed name | Maria N. Salsedo | | |
| Signature | | Date | 08/04/2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective 08/12/04/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 10/714,912 |
| Filing Date | 11/18/2003 |
| First Named Inventor | Kenji Yoshisue |
| Examiner Name | Kimberly R. Lockett |
| Art Unit | 2837 |
| Attorney Docket No. | 056272.52903US |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): Check No. 6974☒ Deposit Account Deposit Account Number: 05-1323 Deposit Account Name: Crowell & Moring LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)
Each independent claim over 3 (including Reissues)
Multiple dependent claims

| Fee (\$) | Small Entity Fee (\$) |
|----------|-----------------------|
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|---------------------|---------------------|---|-----------------|----------------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| _____ | _____ | _____ | _____ | _____ |

- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement**Fees Paid (\$)**

180.00

SUBMITTED BY

| | | | | | |
|-------------------|--------------------------------|-----------------------------------|--------|-----------|--------------|
| Signature | <u>Robert L. Grabarek, Jr.</u> | Registration No. (Attorney/Agent) | 40,625 | Telephone | 949-263-8400 |
| Name (Print/Type) | Robert L. Grabarek, Jr. | | | Date | 08/04/2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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